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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/787,514	03/19/2001	Vesa-Matti Jokinen	P-277904/299	2341

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PILLSBURY WINTHROP SHAW PITTMAN, LLP  
P.O. BOX 10500  
MCLEAN, VA 22102

EXAMINER

TAYLOR, BARRY W

ART UNIT	PAPER NUMBER
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2643

DATE MAILED: 08/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/787,514	<b>Applicant(s)</b> JOKINEN, VESA-MATTI	
	<b>Examiner</b> Barry W. Taylor	<b>Art Unit</b> 2643	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 03 June 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

1. Claim 19 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 19 recites the limitation "the master" in lines 1-2. There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Block et al (6,377,938 hereinafter Block) in view of Carlsson et al (6,026,291 hereinafter Carlsson) further in view of Picciallo (6,044,360).

Regarding claims 1, 7 and 20. Block teaches a system, method and network for billing subscribers in a telecommunication network, wherein subscriber has billing

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accounts that are charged when services of the telecommunication network are used (abstract), comprising:

at least one subscriber billing group having at least two subscribers (col. 13 line 56 – col. 14 line 9);

assigning each subscriber a billing account in a billing database (col. 6 lines 39-44, col. 7 lines 45-50, col. 12 lines 20-240).

According to Applicant's, Block uses single account verses separate accounts for each subscriber (see paper number 7, page 2 lines 1-7, dated 4/16/2004).

The Examiner notes that Block discloses group billing permitting subscribers to charge telephone, paging, cellular, and other communication services to a single account. For example, all charges from the Billing Group (BG) can be charged to a main billing number and the Class Of Service (COS) can be established by the main billing number (col.14 lines 4-9).

Carlsson discloses using three separate registers within the system so that several terminals can be associated with one user, several users to be associated with one terminal, several subscriptions to be associated with one user, and several users to be selectively associated with one subscription wherein the subscription records include a list of allowed users for each subscription account (abstract). Carlsson teaches a cellular user can select a schedule that defines which subscriber accounts will be charged at specified times during the week (abstract, col. 1 lines 51-53, and col. 1 line 60 – col. 2 line 19). Carlsson teaches charging a personal account for private calls and

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charging a business account for business calls (col. 3 lines 21-38, col. 5 line 36 – col. 6 line 36, col. 6 lines 62-66, col. 8 lines 20-33 and lines 62-67) based on a specified schedule. For example, Carlsson shows that business account (see item 260 figure 5) is to be charged for all calls made between 8:00 a.m. and 5:00 p.m. on weekdays and personal account (item 265) is to be charged for calls made between 1:30 p.m. and 4 p.m. on the weekend (i.e. day 6).

It would have been obvious for any one of ordinary skill in the art at the time of invention to utilize the teachings of Carlsson into the teachings of Block for the benefit of preventing employees from using company account during non-business days.

Next, Applicants contend that Block in view of Carlsson fail to teach billing accounts with access rights (see Applicants general comment on page 7, paper dated 6/3/05).

Picciallo teaches a method for transferring money between two parties, such as parent and third parties (i.e. sons and/or daughters, col. 3 lines 14-49, col. 9 lines 1-14, col. 10 lines 25-64, col. 10 line 65 – col. 11 line 57) thereby allowing parents the ability to set limits on billing accounts associated with their sons or daughters.

It would have been obvious for any one of ordinary skill in the art at the time of invention to utilize the teachings of Picciallo into the teachings of Block and Carlsson in order to allow companies the ability to set limits on accounts associated with their employees.

Regarding claims 2 and 8. Block teaches telecommunication environment (col. 3 line 67). Carlsson further shows master subscriber (see ERICSSON in figures 5 and 6) controlling billing group.

Regarding claims 3 and 9. Carlsson further shows the user is allowed to select which account is to be charged for a particular subscription (see figures 5-6).

Regarding claims 4 and 10. Block teaches using limited balance (see col. 6 line 37 "subscriber's usable balance"). Carlsson also shows placing restrictions on particular accounts (see figures 5-6).

Regarding claims 5 and 11. Block teaches prepayment account and/or account equipped with a credit limit (col. 3 lines 1-3, col. 7 lines 5-67).

Regarding claims 6 and 12. Carlsson further shows master subscriber (see ERICSSON in figures 5 and 6) controlling billing group.

Regarding claims 13-14. Carlsson teaches master subscriber has access to a telecommunication service by making a facility call to a predetermined service number (see figure 4 wherein master subscriber (i.e. 145) places facility call to a predetermined service number (see service number "AUSTIN" top left of figure 4)).

Regarding claims 15-17. Block discloses the present invention is not limited to wireline subscribers (see figure 5a, col. 16 lines 10-27).

Regarding claim 18. Carlsson further teaches forming the subscriber billing group into a billing database (see abstract wherein Carlsson discloses using three

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separate registers within the system so that several terminals can be associated with one user, several users to be associated with one terminal, several subscriptions to be associated with one user, and several users to be selectively associated with one subscription wherein the subscription records include a list of allowed users for each subscription account).

Regarding claim 19. Carlsson teaches master subscriber has access to a telecommunication network (see figure 4 wherein master subscriber (i.e. 145) places call to a predetermined service number (see service number "AUSTIN" top left of figure 4)).

### ***Response to Arguments***

3. Applicant's arguments with respect to claims 1, 7 and 20 have been considered but are moot in view of the new ground(s) of rejection.

4. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:**

(703) 872 9314,

(for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal

Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Barry W. Taylor, telephone number (703) 305-4811, who is available Monday-Friday, 6:30am to 4pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz, can be reached at (703) 305-4708. The facsimile phone number for this group is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group 2600 receptionist whose telephone number is (703) 305-4750, the 2600 Customer Service telephone number is (703) 306-0377.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Barry W. Taylor". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Barry W. Taylor  
Patent Examiner  
Technology Center 2600  
Art Unit 2643